

FOR REGISTRATION JUDITH A GIBSON
REGISTER OF DEEDS
MECKLENBURG COUNTY, NC
2001 OCT 23 04 48 PM
BOOK 12793 PAGE 597-609 FEE \$30.00
INSTRUMENT # 2001182698

CERTIFIED COPY OF SOLID WASTE PERMIT

I do hereby certify that the attached PERMIT is an exact and true copy of Permit No. 60-13.

James C. Coffey
James C. Coffey, Supervisor
Permitting Branch
Solid Waste Section

North Carolina

Wake County

I, B. J. Stanfield, a Notary Public for said County and State, do hereby certify that James C. Coffey, Solid Waste Section, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 19 day of October, 2001.

OFFICIAL SEAL



B. J. Stanfield
NOTARY PUBLIC

My commission expires December 29, 2004.

PREPARED BY TIM JEWITT, NC DENVER

MAIL TO: GRIFFIN BROS. COMPANIES
19109-118 NC STATE AVE
CORNELIUS NC 28031

North Carolina
Department of Environment and Natural Resources

Division of Waste Management

Michael F. Easley, Governor
William G. Ross Jr., Secretary
Dexter R. Matthews, Interim Director



PERMIT NO. 60-13
PTO ISSUED 24 JUNE 1993
AMENDMENT 1 (Expansion): 7 MARCH 1995
AMENDMENT 2 (PTC Expansion): 19 OCTOBER 2001

STATE OF NORTH CAROLINA

DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

DIVISION OF WASTE MANAGEMENT


SOLID WASTE PERMIT

NORTH MECKLENBURG LANDFILL, INC. (Operator)
GRIFFIN-PARKER ENTERPRISES, GRIFFIN BROS. INC., NORTH MECKLENBURG
LANDFILL, INC., AND LARRY GRIFFIN, SR. (Land Owners)

are hereby issued a permit to CONSTRUCT a 14.9 Acre

Construction and Demolition Landfill Cell

located at 15300 Holbrook Road, southeast of the Town of Huntersville, in Mecklenburg County, North Carolina in accordance with Article 9, Chapter 130A, of the General Statutes of North Carolina and all rules promulgated thereunder and subject to the conditions set forth in this permit. The facility is located and described by the property deed included in the siting requirements and construction plan application referenced in Attachment 1.


James C. Coffey
Acting Section Chief
Solid Waste Section

1646 Mail Service Center, Raleigh, North Carolina 27699-1646
Phone: 919-733-0692 \ FAX: 919-733-4810 \ Internet: www.enr.state.nc.us/

AN EQUAL OPPORTUNITY \ AFFIRMATIVE ACTION EMPLOYER - 50% RECYCLED / 10% POST CONSUMER PAPER

PERMIT NO. 60-13
PTO ISSUED (Phase I) 24 JUNE 1993
AMENDMENT 1 (Phase II): 7 MARCH 1995
AMENDMENT 2 (PTC Expansion): 19 OCTOBER 2001

NORTH MECKLENBURG LANDFILL, INC.

**SOLID WASTE PERMIT
CONSTRUCTION AND DEMOLITION DEBRIS LANDFILL UNIT**

CONDITIONS OF PERMIT:

GENERAL:

1. This permit shall not be effective unless the certified copy is filed in the Register of Deeds office and indexed in the grantor index under the name of the owner of the land in the county or counties in which the land is located. The certified copy of the permit, affixed with the Register's seal and the date, book, and page number of recording shall be returned to the Division of Waste Management (the Division).
2. When this property is sold, leased, transferred or conveyed, the deed or other instrument of transfer shall contain in the description section in no smaller type than that used in the body of the deed or instrument, a statement that the property has been used as a sanitary landfill.
3. The permit is for a five year period and is subject to review on or before 19 October 2006, as per 15A NCAC 13B .0201(c) or sooner, according to the issuance date of the permit to operate. Modifications to the facility may be required in accordance with the rules in effect at the time of review. This facility may receive solid waste that is generated within a service area consisting of Mecklenburg County and the contiguous counties of Iredell, Cabarrus, Union, Gaston, and Lincoln.
4. The approved plan for this facility is described in Attachment 1, "List of Documents for Approved Plan". Where discrepancies exist, the most recent submittal and these Conditions shall govern. Some components of the approved plan are reiterated in these Conditions.
5. This permit is not transferable.
6. A copy of this permit, the approved plans, and all pertinent records shall be maintained on-site at the facility and made available to the Solid Waste Section (SWS) upon request.
7. The owner/operator is responsible for obtaining any and all permits and approvals necessary for the development of this project including approval from appropriate agencies for a General or Individual NPDES Stormwater Discharge Permit.

CONDITIONS OF PERMIT NO. 60-13
PTO ISSUED (Phase I) 24 JUNE 1993
AMENDMENT 1 (Phase II): 7 MARCH 1995
AMENDMENT 2 (PTC Expansion): 19 OCTOBER 2001

Page 2

Construction and Operation:

8. This permit is for the development of the North Mecklenburg Landfill, Inc. 14.9 acre expansion within the approved facility description, in accordance with the approved plans prepared by Patterson Brewer & Associates (revisions dated 12 October 2001) and Enviro-Pro, P.C (dated 27 August 2001). Initial development shall begin on the southwest side of the facility.
 9. This solid waste management facility is permitted to receive the following waste types:
 - a. Land-clearing debris as defined in G.S. 130A-290, specifically, solid waste that is generated solely from land-clearing activities, such as stumps, trees, etc.;
 - b. Inert debris defined as solid waste which consists solely of material that is virtually inert, such as brick, concrete, rock and uncontaminated soil;
 - c. Asphalt in accordance with G.S. 130A-294(m);
 - d. Construction and demolition debris defined as solid waste resulting solely from construction, remodeling, repair or demolition operations on pavement, buildings, or other structures;

Note: Yard trash defined as solid waste consisting solely of vegetative matter resulting from landscaping maintenance (see G.S. 130A-290) is banned from disposal in this facility as per NC General Statutes.
 10. All sedimentation and erosion control measures will be conducted in accordance with the Sedimentation Control Act codified at 15 NCAC 4. Native vegetation shall be established on the completed landfill.
 11. The following requirements shall be met prior to operation of this facility:
 - a. North Mecklenburg Landfill, Inc. or its consultant shall provide documentation to the Division that the site preparation (grading, placement of fill if applicable, maintaining 4 feet separation between waste and groundwater, etc.) has occurred in accordance with the construction plan and the conditions specified herein.
 - b. The owner's geologist shall examine the cell excavation and note any pertinent geological features exposed during the construction process and shall notify the Solid Waste Section Hydrogeologist of these findings.
 - c. Site inspection shall be made by a representative of the Division.
 - d. Signs shall be posted at the facility in accordance with the Access and Safety Requirements under Operation Condition No. 12 listed below.
-

CONDITIONS OF PERMIT NO. 60-13
PTO ISSUED (Phase I) 24 JUNE 1993
AMENDMENT 1 (Phase II): 7 MARCH 1995
AMENDMENT 2 (PTC Expansion): 19 OCTOBER 2001

Page 3

- e. Surface water monitoring locations shall be established and groundwater monitoring wells (see Monitoring and Reporting Requirements) shall be installed. A baseline sampling event for background water quality shall be performed. Well construction records, boring logs, and evidence that a baseline sampling has been conducted shall be submitted to the Section Hydrogeologist for review and approval prior to operation (see Monitoring and Reporting Conditions below).
 - f. Recordation procedures for the permit shall be implemented as described above in General Conditions Numbers 1 and 2.
 - g. A comprehensive Operations Plan shall be submitted to the Division in accordance with 15A NCAC 13B .0505.
12. Operation of the facility shall occur in accordance with the NC Solid Waste Management Rules 15A NCAC 13B .0505, "Operational Requirements for Sanitary Landfills", the approved Operations Plan, and the following specific conditions:

Waste Acceptance and Disposal

- a. The facility shall accept only those solid wastes which it is permitted to receive.
- b. No municipal solid waste, hazardous waste, industrial waste or liquid waste shall be accepted for disposal.
- c. Waste shall be restricted to the smallest area feasible and compacted as densely as practical into cells.
- d. The permittee shall implement a program at the facility for detecting and preventing the disposal of unacceptable wastes. The program shall include, at a minimum:
 - i. Random inspections of incoming loads or other comparable procedures;
 - ii. Record keeping which documents these inspections;
 - iii. Training of personnel to recognize hazardous, liquid, and other unauthorized waste types;
 - iv. Development of a contingency plan to properly manage any identified hazardous or problem wastes; The plan must address identification, removal, storage, and final disposition of these wastes.

Cover Material Requirements

- e. Operational soil cover of at least six inches shall be placed at least once per week or when the active area reaches $\frac{1}{2}$ acre in size or more often as necessitated by the nature of the waste so as to prevent the site from becoming a visual nuisance and to prevent fire, windblown materials, vectors or water infiltration.

CONDITIONS OF PERMIT NO. 60-13
PTO ISSUED (Phase I) 24 JUNE 1993
AMENDMENT 1 (Phase II): 7 MARCH 1995
AMENDMENT 2 (PTC Expansion): 19 OCTOBER 2001

Page 4

- f. Areas which will not have additional waste placed on them for 12 months or more, but where final termination of operations has not occurred, shall be covered with a minimum of one foot of soil cover.
- g. After final termination of disposal operations at the site, or major part thereof, or upon revocation of a permit, the final cover system shall be installed.

Access and Safety

- h. The facility shall be adequately secured by means of gates, chains, berms, fences, or other security measures approved by the Division to prevent unauthorized entry.
- i. An attendant shall be on duty at the site at all times while it is open for public use to ensure compliance with operational requirements.
- j. The access road to the site shall be of all-weather construction and maintained in good condition.
- k. Dust control measures shall be implemented when necessary.
- l. Signs providing information on dumping procedures, the hours of operation, the permit number, the emergency contact, and other pertinent information shall be posted at the site entrance.
- m. Signs shall be posted stating that no MSW, hazardous waste, industrial waste or liquid waste can be received.
- n. Traffic signs or markers shall be provided as necessary to promote an orderly traffic pattern to and from the discharge area and to maintain efficient operating conditions.
- o. The removal of solid waste from the facility is prohibited unless the owner/operator approves and the removal is not performed on the working face.
- p. Barrels and drums shall not be disposed of unless they are empty and perforated sufficiently to ensure that no liquid or hazardous waste is contained therein, except fiber drums containing asbestos.
- q. Open burning of solid waste is prohibited.
- r. The concentration of explosive gases generated at the facility shall not exceed:
 - i. twenty-five percent of the limit for gases in site structures (excluding gas control or recovery system components); and
 - ii. the lower explosive limit for gases at the facility boundary.

Erosion and Sedimentation Control

- s. Adequate sedimentation and erosion control measures shall be practiced to prevent silt from leaving the site.
- t. Adequate sedimentation and erosion control measures shall be practiced to prevent excessive on-site erosion.

CONDITIONS OF PERMIT NO. 60-13
PTO ISSUED (Phase I) 24 JUNE 1993
AMENDMENT 1 (Phase II): 7 MARCH 1995
AMENDMENT 2 (PTC Expansion): 19 OCTOBER 2001

Page 5

- u. Provisions for a vegetative ground cover sufficient to restrain erosion must be accomplished within 30 working days or 120 calendar days upon completion of any phase of C&D landfill development.

Drainage Control and Water Protection Requirements

- v. Surface water shall be diverted from the operational area.
 - w. Surface water shall not be impounded over or in waste.
 - x. A separation distance of at least four feet shall be maintained between waste and the ground-water table.
 - y. Solid waste shall not be disposed of in water.
 - z. Leachate shall be contained on site or properly treated prior to discharge. An NPDES permit may be required prior to discharge of leachate to surface waters.
13. All pertinent landfill operating personnel will receive training and supervision necessary to carry out their duties and operate this landfill in a safe manner.
14. A closure and post-closure plan must be submitted for approval at least 90 days prior to closure or partial closure of any landfill unit. The plan must include all steps and measures necessary to close and maintain the facility in accordance with all rules in effect at that time. At a minimum, the plan shall address the following:
- a. Design of a final cover system;
 - b. Construction and maintenance/operation of the final cover system and erosion control structures;
 - c. Surface water, ground water, and explosive gas monitoring.

MONITORING AND REPORTING REQUIREMENTS:

15. Ground water quality at this facility is subject to the classification and remedial action provisions referenced in 15A NCAC 2L. Water quality monitoring for the C&D landfill shall occur according to approved plan and the following conditions:
- a. The permittee shall sample the monitoring wells on a semi-annual basis, or as directed by the SWS Hydrogeologist.
 - b. Monitoring well design and construction, sampling methods and sampling equipment shall conform to specifications found in Attachment 2, "North Carolina Water Quality Monitoring Guidance Document for Solid Waste Facilities". Sampling parameters shall conform to those found in Attachment 3, "Sampling and Analysis Requirements".
 - c. Prior to the acceptance of any waste at the facility, a baseline sampling event shall be completed. The results of this sampling event shall be submitted to the Section

CONDITIONS OF PERMIT NO. 60-13
PTO ISSUED (Phase I) 24 JUNE 1993
AMENDMENT 1 (Phase II): 7 MARCH 1995
AMENDMENT 2 (PTC Expansion): 19 OCTOBER 2001

Page 6

- Hydrogeologist in a timely manner. (See Construction and Operation Condition 10(d).)
- d. Well completion records and boring logs shall be submitted to the Division at the same time as the results of the initial sampling event or within 30 days of any new well completion (See Construction and Operation Condition 10(d)).
 - e. A geologist shall be in the field to supervise well installation. The exact locations, screened intervals, and nesting of the wells shall be established after consultation with the SWS Hydrogeologist at the time of well installation.
 - f. A readily accessible unobstructed path shall be initially cleared and maintained so that four-wheel drive vehicles may access the monitoring wells at all times.
 - g. The permittee shall establish locations for surface water sampling. Surface water shall be sampled and analyzed semi-annually according to the protocol and parameters required by the Division at the time of sampling.
16. The permittee shall maintain a record of all monitoring events and analytical data. Reports of the analytical data for each water quality monitoring sampling event shall be submitted to the Section in a timely manner.
17. Explosive gas monitoring shall be performed as needed to ensure compliance with the standards in Rule .0503 (2)(a).
18. The permittee shall maintain a record of the amount of solid waste received at the facility, compiled on a monthly basis. Scales shall be used to weigh the amount of waste received.
19. On or before 01 August of each year (or an earlier date as requested by the Solid Waste Section), the permittee shall report the amount of waste received (in tons) at this facility and disposed of in the landfill to the Solid Waste Section and to all counties from which waste was accepted, on forms prescribed by the Section. This report shall include the following information:
- a. The reporting period shall be for the previous year, beginning 01 July and ending on 30 June.
 - b. The amount of waste received and landfilled in tons, compiled on a monthly basis, according to Condition 4 described above, and
 - c. Documentation that a copy of the report has been forwarded to all counties from which waste was accepted.
20. If, during the operational life of the facility, it becomes apparent that the operations are impacting ground water adversely, the Solid Waste Section will require landfilling activities to cease and closure of the operating unit(s).

ATTACHMENT 1

List of Additional Documents for Permit No. 60-13:

1. Approved Site and Construction Plans for Phase I of North Mecklenburg Landfill submitted 3 September 1993.
2. Hydrogeological assessment containing approved groundwater monitoring plan submitted by Ecological Services, Inc. 19 June 1992
3. Legal description of the facility (Phase I only).
4. Approved Construction and Operation Plan for North Mecklenburg Landfill submitted by Frank Hicks Associates, Inc. 20 January 1995 (Phase II Expansion).
5. Legal description of the facility (Phase II only).
6. "Final Site Plan Application, North Mecklenburg Landfill" submitted by Enviro-Pro, P.C. and dated 27 August 2001 including local government approval, zoning approval, franchise agreement, and legal description of the facility (expansion property).
7. "Construction Plan Application, North Mecklenburg C&D Landfill Expansion, Huntersville, NC" submitted by Patterson & Brewer Associates dated 18 July 2001 with revisions dated 12 October 2001; including construction plan drawings, sediment and erosion control plan approval, and facility operations plan.

STATE OF
**NORTH
CAROLINA**



Real Estate Excise Tax

Excise Tax \$360.00

Recording Time, Book and Page

Tax Lot No. 019-101-02

Parcel Identifier No.

Verified by _____

County on the

day of

19

by

Mail after recording to H. Parks Helms; ROD Box 12

This instrument was prepared by **H. Parks Helms**

Brief description for the Index

Holbrooks Road

THIS DEED made this 12th day of

June

95

by and between

GRANTOR

GRANTEE

FRANKIE H. GODLEY (Unmarried)

LARRY GRIFFIN, SR.

c/o North Mecklenburg Landfill, Inc.
15300 Holbrooks Road
Huntersville, North Carolina 28078

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g., corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of _____, _____ Township,

Mecklenburg

County, North Carolina and more particularly described as follows:

See description on Exhibit A.

η/εΟ. ρ.η.η.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 3633, page 382 of the Mecklenburg County Public Registry

A map showing the above described property is recorded in Plat Book

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated. Title to the property hereinabove described is subject to the following exceptions:

Easements, conditions, restrictions, reservations and rights-of-way of record.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

(Corporate Name)

By:

President

ATTEST:

Secretary (Corporate Seal)

USE BLACK INK ONLY

FRANKIE H. GOOLEY

(SEAL)

(SEAL)

(SEAL)

(SEAL)



SEAL-STAMP

NORTH CAROLINA, Mecklenburg County.

I, a Notary Public of the County and State aforesaid, certify that FRANKIE H. GOOLEY (Unmarried), Grantor,

personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 12 day of June, 1995.

My commission expires: April 14, 1998 Anita J. Standish Notary Public

NORTH CAROLINA, County.

I, a Notary Public of the County and State aforesaid, certify that he is Secretary of

personally came before me this day and acknowledged that he is a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its President, seated with its corporate seal and attested by as its Secretary.

Witness my hand and official stamp or seal, this day of 19.

My commission expires: Notary Public

The foregoing Certificate(s) of are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

REGISTER OF DEEDS FOR COUNTY

By Deputy Assistant - Register of Deeds

EXHIBIT A

Beginning at an existing iron pin located on the easterly side of the right-of-way of Holbrooks Road (SR #2446) on a western line of the property of John Pinkney, Jr. (now or formerly) described in Deed Book 3435 at page 273 of the Mecklenburg County Public Registry, and running thence with the line of John Pinkney, Jr. N 14-50-34 W 32.17 feet to a point located in the paved portion of Holbrooks Road; thence S 64-51-16 W 153.9 feet to a point in the paved portion of the right-of-way of Holbrooks Road, such point being located on an eastern line of the property owned (now or formerly) by Emory D. Stevens described in Deed Book 3726 at page 139; thence S 9-23-24 E 821.8 feet to an existing iron pin at a common corner with the property of Emory D. Stevens described herein; thence S 58-54-59 W 828.48 feet to an existing iron pin at a common corner with the property of Arnold W. Johnston (now or formerly) described in Deed Book 2313 at page 253; and running thence with the line of Arnold W. Johnston S 58-37-00 E 1,767.32 feet intersecting a creek at three places, to an existing iron pin at a corner of the property owned by Linda Wester Long (now or formerly) described in Deed Book 6116 at Page 663; and running thence with the line of Linda Wester Long S 73-36-49 E 269.33 feet to an existing iron pin; thence N 75-59-28 E 1,096.52 feet, intersecting the same creek once, to an existing iron pin; thence with a line of the property of Griffin-Parker Enterprises described in Deed Book 5992 at Page 370 N 44-49-05 W 2,165.44 feet to an existing iron pin located at a common corner with the property owned by Rufus Blackmon (now or formerly) described in Deed Book 4441 at page 875; thence S 56-56-37 W 155.94 feet to an existing iron pin; thence S 56-54-07 W 155.23 feet to an existing iron pin at a corner of the property of Peron Griffin (now or formerly) described in Deed Book 3753 at page 447 of the Mecklenburg County Public Registry; thence S 56-56-15 W 154.75 feet to an existing iron pin at a common corner of the property of John Pinkney, Jr. (now or formerly) described herein; thence with the line of John Pinkney, Jr. N 14-50-34 W 746.83 feet to an existing iron pin, being the point and place of beginning.

And being the same property described on a boundary survey of property for Griffin-Parker Enterprises by Spratt and Brooks Land Surveying dated June 8, 1995.

State of North Carolina, County of Mecklenburg

The foregoing certificate(s) of Anita S. Lindsey

Notary(ies) Public is/are certified to be correct.

This 13th day of June, 19 95.

JUDITH A. GIBSON, REGISTER OF DEEDS

By: Mary N. Posey Deputy Register of Deeds



JUDITH A. GIBSON
REGISTER OF DEEDS , MECKLENBURG COUNTY
COUNTY & COURTS OFFICE BUILDING
720 EAST FOURTH STREET
CHARLOTTE NC 28202

Filed For Registration: 10/23/2001 04:48 PM
Book: RE 12793 Page: 597-609
Document No.: 2001182698
PRMIT 13 PGS \$30.00

Recorder: SERENA ROSS

State of North Carolina, County of Mecklenburg

The foregoing certificate of B. J. STANFIELD Notary is certified to be correct. This 23 RD of October 2001

JUDITH A. GIBSON, REGISTER OF DEEDS By: _____
Deputy/Assistant Register of Deeds

Serena M. Ross



2001182698